

ATTACHMENT A
STATEMENT OF FACTS

The undersigned parties hereby stipulate and agree that, if this case had proceeded to trial, the United States would have proven the following facts beyond a reasonable doubt. The undersigned parties also agree that the following facts do not encompass all of the evidence which would have been presented had this matter gone to trial.

At all relevant times to this case, Defendant **CLARENCE HENRY ANDREWS** ("ANDREWS") was a resident of Silver Spring, Maryland.

In or about March 2015, **ANDREWS** communicated with an 11-year-old male ("Victim 1") residing in Georgia, via Sony PlayStation, Skype, FaceTime, text messages, and telephone. During the course of the communications, **ANDREWS** persuaded, induced, enticed, and coerced Victim 1 to produce images and videos of Victim 1 engaged in sexually explicit conduct. **ANDREWS** promised to provide Victim 1 Advanced Warfare, a PlayStation game, in exchange for sexually explicit images and videos of Victim 1. At various times, **ANDREWS** also invoked religious rhetoric in order to persuade Victim 1 to produce and share sexually explicit images and videos.

For example, **ANDREWS** and Victim 1 exchanged the following chat communications, in relevant part, between March 10, 2015 and March 11, 2015 (alterations and notations are in square brackets):

ANDREWS: Ok why am I mad at you?
Victim 1: Didn't send the pic cause i was in a car wreck
ANDREWS: When was this? And I think your lying to me [Victim 1]
Victim 1: I'm just now home
Victim 1: Nope im not lying
ANDREWS: Point being you had time before you went out and you did nothing and expect me to give you AW [Advanced Warfare] right?

ANDREWS: So I'm giving you a chance take it or leave it

ANDREWS: But you need to get those pics tonight that's my final answer or you have no aw
ANDREWS: Understood!????
Victim 1: No
ANDREWS: Ok then

Victim 1: I'm sorry but it can't work out im 12 with parents sleeping with me and they k win when I'm not using bathroom then im busted

Victim 1: Can I have a different job if i can

ANDREWS: Deuces don't have the time to play games no more I hope that your parents cough up the money to get it [Advanced Warfare] for you I'm done goodbye

ANDREWS: You make up to many fake ass excuses to get out of doing something [Victim 1] and I'm tired of the shit I'm not helping someone who plays and makes excuses so there you go

Victim 1: I dont make excuses it's the trith

Victim 1: truth

Victim 1: Thx for the money that u promised (facepalm)im(stupid)

Victim 1: Ok i surrender i like aw [Advanced Warfare] and dont have it

ANDREWS: I'm not going to continue letting you lie to me and then give you a game

ANDREWS: SO I'm doing the right thing by not giving It to you cause then what u lie again and your supposed to be a Christian and be a church boy correct

ANDREWS: The bible says In the Ten Commandments thy shall not lie! Correct

ANDREWS: ?

Victim 1: That's correct I red that part to

Victim 1: That's one of my verses

ANDREWS: Commandment broken

ANDREWS: You going to lie again or do your job cause if your going to lie then bye I hope that God had mercy on your soul

ANDREWS: And I want you to do them pics really quick

Victim 1: Ok which side

Victim 1: Only time for 1 cause its 11:15 school tomorrow

ANDREWS: Both you can do it
ANDREWS: Send on here
Victim 1: Ok I'll try
Victim 1: Ok I have to brb [be right back] I'll try to hurry
ANDREWS: Standing up makes it fast
Victim 1: Yea ik brb [be right back]
ANDREWS: I'll pray for you to
Victim 1: Ok plz I'll come to u if i have a problem in my life if u can help
Victim 1: Ok gotta get them picks
ANDREWS: When your done call me no speaking put the phone to your ear so you
can hear me and I'm going to pray for you

Victim 1: Ok brb [be right back]
Victim 1: [An image is sent the image depicts a minor male's exposed penis]
Victim 1: Best i could do
Victim 1: [An image is sent the image depicts a minor male's anus]
Victim 1: Same with this or
Victim 1: This one*
ANDREWS: Ok that's fine kiddo
Victim 1: Ok thx
ANDREWS: Tomorrow go back in your room hurry up

Victim 1: Ok its sending
ANDREWS: It better be right or we fighting let me know when it sends

ANDREWS: I got it
Victim 1: Got what
Victim 1: Video
ANDREWS: The video hold on lol [laugh out loud]

Similarly, **ANDREWS** and Victim 1 exchanged the following chat communications, in relevant part, on March 11, 2015 (alterations and notations are in square brackets):

ANDREWS: Well then when you get out do the pics ok?

ANDREWS: Are you taking a shower?

Victim 1: Fixing to get in

Victim 1: Ok i copy

ANDREWS: Matter a fact I want a video on skype I'll you of what when your out of the shower

ANDREWS: So the video you got to be ready to do it so that you don't get in trouble you wanna do it before while your in the bathroom?

Victim 1: Yea I'll tell parents that i gt to go to num2 but I do anyways so ill do it them after shower

ANDREWS: That's what I want you to do I want to see it coming out your butt easy enough and I want to see you wipe that's your ticket to AW [Advanced Warfare]

Victim 1: Ok gotta cha

ANDREWS: What you suppose to do in the video?

ANDREWS: Hurry up and yes

Victim 1: In the video take the camera and see the butt with the poo poo coming easy out and wipe and the front of it

Victim 1: Sorry but taking num2 now so gotta do video

Victim 1: Hurry and see if that's correct

Victim 1: Ok brb may take 5 mins brb

ANDREWS: Ok

Victim 1: Peed

Victim 1: Lol i pee on my phone. [A video is sent. The video is approximately two minutes and thirty-seven seconds in length and takes place in a bathroom. The video begins depicting an exposed penis. As the video continues a hand touches the exposed penis. Victim 1, who is recording the video, then waves to the camera in the mirror and appears to be naked except for socks. Victim 1 then records himself urinating and defecating in the toilet. The video concludes with

Victim 1 recording himself in the mirror as he wipes his anus with toilet paper.]

The two images and one video sent by Victim 1 to **ANDREWS** in the above excerpts contain visual depictions of a minor engaging in sexually explicit conduct and are child pornography under 18 U.S.C. § 2256(8).

Between approximately in or about 2013 and April 2015, **ANDREWS** – using similar means and pattern of conduct – attempted to or did persuade, induce, entice, and coerce at least eight additional victims aged 16 and younger to produce images and videos of sexually explicit conduct.

* * *

Between approximately April 2013 and October 2014, **ANDREWS** befriended, through church, the family of an eight-to-nine-year-old female (“Victim 2”) and a seven-to-eight-year-old male (“Victim 3”) residing in Olney, Maryland. On one occasion, **ANDREWS** visited the family’s home in Olney, took Victim 2 to a downstairs bathroom, told Victim 2 that he (**ANDREWS**) would give Victim 2 \$20 if she pulled down her pants, ran his (**ANDREWS**) finger down the line of Victim 2’s buttocks, and took a picture of Victim 2’s buttocks. On multiple occasions, **ANDREWS** visited the family’s home in Olney, took Victim 3 to a downstairs bathroom, told Victim 3 to pull down his pants, took a picture of Victim 3’s buttocks, touched Victim 3’s penis, and made Victim 3 touch **ANDREWS**’s penis.

ANDREWS was charged with five counts of Sex Offense Third Degree for the aforementioned conduct in Maryland v. Clarence Henry Andrews, Circuit Court for Montgomery County, Maryland (Case No. 130047C).

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Prior to the offenses described above, on May 23, 2010, **ANDREWS** and a nine-year-old male (“minor male”) were in a church in Laurel, Maryland. In a bathroom of the church, **ANDREWS** touched the minor male’s penis, and told the minor male that the minor male could not leave the bathroom until the minor male touched **ANDREWS**’s penis. Based on the aforementioned conduct, on April 16, 2011, **ANDREWS** was convicted by Alford plea of Sex Offense Fourth Degree and Second Degree Assault, in Maryland v. Clarence Henry Andrews, Circuit Court for Prince George’s County, Maryland (Case No. CT101255X).

ANDREWS was a registered sex offender at the time of the instant offense conduct.

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I have read this statement of facts, and have carefully reviewed it with my attorney. I acknowledge that it is true and correct.

12/23/16
Date

Clarence H. Andrews
Clarence Henry Andrews

I am the attorney for Clarence Henry Andrews. I have carefully reviewed the statement of facts with him.

12.23.16
Date

John Chamble
John Chamble, Esq.